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11 *Attorneys for Plaintiff*

12 **UNITED STATES DISTRICT COURT**

13 **DISTRICT OF NEVADA**

15 CENTER FOR BIOLOGICAL DIVERSITY,

16 Plaintiff,

17 vs.

18 DEBRA HAALAND et al.,

19 Defendants,

20 and

21 LEE CANYON SKI LIFTS, INC.,

22 Defendant-Intervenor

23 Case No. 2:20-cv-02131-RFB-DJA

24 **STIPULATION AND ORDER FOR**
DISMISSAL WITH PREJUDICE

25 Plaintiff CENTER FOR BIOLOGICAL DIVERSITY (“the Center”), by and through its
26 attorneys, and Defendants DEBRA HAALAND, in her official capacity as Secretary of the U.S.
27 Department of the Interior, MARTHA WILLIAMS, in her official capacity as Principal Deputy
28 Director of the U.S. Fish and Wildlife Service, GLEN KNOWLES, in his official capacity as Field

1 Supervisor of the Southern Nevada Fish and Wildlife Office, U.S. FISH AND WILDLIFE
 2 SERVICE, WILLIAM DUNKELBERGER, in his official capacity as Humboldt-Toiyabe National
 3 Forest Supervisor, and the U.S. FOREST SERVICE (collectively “Federal Defendants”), by and
 4 through their attorneys, and Defendant-Intervenor LEE CANYON SKI LIFTS, INC. (“Lee
 5 Canyon”, and together with the Center and the Federal Defendants, “the Parties”) by and through
 6 its attorneys, hereby stipulate **to dismiss this action with prejudice** pursuant to Federal Rule of
 7 Civil Procedure 41(a)(1)(A)(ii) and with the following background and reasons:

- 8 1. On November 19, 2020, the Center filed the above-captioned action against Federal
 9 Defendants. ECF No. 1.
- 10 2. On August 4, 2021, this Court granted Lee Canyon’s unopposed motion to intervene in
 11 this action as a defendant. ECF No. 35.
- 12 3. The Center and Lee Canyon have executed a Settlement Agreement fully resolving any
 13 and all claims by each party to that agreement against the other. The Settlement
 14 Agreement is attached hereto as **Exhibit A** and incorporated by reference as to the
 15 Center and Lee Canyon. Pursuant to that Agreement, the Center agrees to voluntarily
 16 dismiss any and all claims against Lee Canyon and the Federal Defendants.

17 Accordingly, the Parties **HEREBY STIPULATE** that this action be dismissed with prejudice,
 18 each party to bear their own attorneys’ fees and costs.
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20 DATED: January 19, 2022

21 CENTER FOR BIOLOGICAL DIVERSITY

23 /s/ Scott Lake

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25
 26
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DATED: January 19, 2022

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23 /s/ Taylor A. Mayhall

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1 DATED: January 19, 2022

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11 *Lee Canyon Ski Lifts, Inc.*

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12 *Attorneys for Federal Defendants*

13 IT IS SO ORDERED:

14 
15 **RICHARD E. BOULWARE, II**
16 **United States District Court**

17 DATED this 19th day of January, 2022.

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CERTIFICATE OF SERVICE

I hereby certify that today I electronically filed the foregoing STIPULATION AND ORDER FOR DISMISSAL WITH PREJUDICE with the Clerk of the Court using the CM/ECF system, which will send notification of such upon all attorneys of record.

Dated this 19th day of January 2022.

/s/ Ryan Adair Shannon
Ryan Adair Shannon